

Settlement Date: February 26, 2021 at 4:00 p.m.
Objection Deadline: February 25, 2021 at 4:00 p.m.

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-and-

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Attorneys for the Foreign Representatives

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:) Chapter 15 Case
)
FAIRFIELD SENTRY LIMITED, et al.,) Case No. 10-13164
) (SMB)
Debtors in Foreign Proceedings.) Jointly Administered
)
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION), et al.,)
)
Plaintiffs,) Adv. Pro. No. 10-03496
) (SMB)
against –) Administratively
) Consolidated
THEODOOR GGC AMSTERDAM, et al.,)
Defendants.)
)
)
)
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and)
FAIRFIELD SIGMA LIMITED (IN LIQUIDATION), acting)
by and through the Foreign Representatives thereof, and)
KENNETH KRYSS and GREIG MITCHELL, solely in their)

capacities as Foreign Representatives and Liquidators thereof,

Plaintiffs,

-against-

ABN AMRO SCHWEIZ AG a/k/a ABN AMRO
(SWITZERLAND) AG, ADLER AND CO PRIVATBANK
AG, ALLIANZBANK SPA/UNIFORTUNE
CONSERVATIVE SIDE POCKET, ALTERNATIVE
INVESTMENT STRATEGIES, BANCA ARNER SA, BANCA
UNIONE DI CREDITO, BANK HAPOALIM
SWITZERLAND LTD., BANK JULIUS BAER & CO. LTD.,
BANK SARASIN & CIE, BANQUE CANTONALE
VAUDOISE, BANQUE CRAMER & CIE SA, BBVA
(SUISSE) SA, BCV AMC DEFENSIVE AL FUND, BNP
PARIBAS (SUISSE) SA, BNP PARIBAS (SUISSE) SA EX
FORTIS, BNP PARIBAS (SUISSE) SA PRIVATE, BSI AG,
BSI EX BANCA DEL GOTTARDO, CACEIS BANK
LUXEMBOURG, CBB (BVI)/ THE ALKIMA FUND, CBT
GEMS LOW VOL REG, COMPAGNIE BANCAIRE
HELVETIQUE, CENTRUM BANK AG (AMS), CLARIDEN
LEU LTD., CORNER BANCA SA, CREDIT SUISSE AG
ZURICH, DEXIA BANQUE INTERNATIONALE A
LUXEMBOURG, DRESNER BANK SCHWEIZ, EFG
BANK SA SWITZERLAND, EFG EUROFINANCIER
D'INVEST MCL, ENDURANCE ABSOLUTE LTD.
MASTER, FAIRFIELD INVESTMENT GCI, FAIRFIELD
INVESTMENT FUND LTD., FALCON PRIVATE BANK,
FIF ADVANCED LTD., FINTER BANK ZURICH,
HARMONY CAPITAL FUND LTD., HSBC, IHAG
HANDELSBANK AG, INCORE BANK AG, KARASEL
ENHANCED PORTFOLIO, KARLA MULTISTRATEGIES
LTD., LGT BANK IN LIECHTENSTEIN AG,
LIECHTENSTEINISCHE LB REINVEST AMS, LLOYDS
TSB BANK GENEVA, LOMBARD ODIER DARIER
HENTSCH & CIE, LONGBOAT LTD., MASTER CAPITAL
AND HEDGE FUND, NATIONAL BANK OF KUWAIT,
NBK BANQUE PRIVEE SUISSE SA, PICTET & CIE, PKB
PRIVATBANK AG, QUASAR FUNDS SPC a/k/a QUASAR
FUND SPC CLASS A AND CLASS B CGCNV, RBC DEXIA
INVESTOR SERVICE JULIUS BAER SICAV, RBS
COUTTS BANK LTD., RICHOURT AAA
MULTISTRATEGIES, ROTHSCHILD BANK AG ZURICH
(DUBLIN) a/k/a ROTHSCHILD BANK AG, ROTHSCHILD
BANK GENEVA (DUBLIN), ROTHSCHILD LUGANO
DUBLIN a/k/a BANCA PRIVATA EDMOND DE

Adv. Pro. No. 10-03635
(SMB)

ROTHSCHILD LUGANO S.A., EDMOND DE)
ROTHSCHILD (SUISSE) S.A., SIS SEEGANINTERSETTLE,)
SIX SIS LTD., SOCIETE GENERALE BANK & TRUST,)
SOUNDVIEW FUND, SWISSCANTO FD CENTRE)
CLIENTS A/C, T1 GLOBAL FUND LTD., UBS AG NEW)
YORK, UBS AG ZURICH, UBS JERSEY NOMINEES,)
VERWALTUNGS UND PRIVAT-BANK AG)
AKTIENGESELLSCHAFT (AMS), VORARLBERGER)
LANDES UND HYPOTHEKENBANK)
AKTIENGESELLSCHAFT and BENEFICIAL OWNERS OF)
ACCOUNTS HELD IN THE NAME OF CGC NA 1-1000,)
Defendants.)

**NOTICE OF SETTLEMENT OF ORDER
IMPLEMENTING DECEMBER 14, 2020 MEMORANDUM
DECISION GRANTING IN PART AND DENYING IN
PART DEFENDANTS' RENEWED MOTION TO DISMISS**

PLEASE TAKE NOTICE that pursuant to the Memorandum Decision Granting in Part and Denying in Part Defendants' Renewed Motion, entered by the Court in the administratively consolidated adversary proceeding (Adv. Pro No. 10-03496) on December 14, 2020 and upon direction of the Court, and in accordance with Local Bankruptcy Rule 9074-1(a), the undersigned will present the proposed order, attached hereto as **Exhibit 1** (the "Proposed Order"), to the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, for settlement and signature in his chambers located at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004 on **February 26, 2021 at 4:00 p.m.**

PLEASE TAKE FURTHER NOTICE that to the extent there is a counter-proposed order or objection to the proposed order, it must be in writing and filed with the Clerk of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green,

New York, New York 10004 by no later than **February 25, 2021 at 4:00 p.m.** (the “Objection Deadline”), with a courtesy copy delivered to the chambers of the Honorable Stuart M. Bernstein; and served upon counsel for the Liquidator, Brown Rudnick LLP, 7 Times Square, New York, New York 0036, Attn: David J. Molton, Esq. Any objection to the proposed order must specifically state the interest the objecting party has in these proceedings and the specific basis of any objection. Unless a counter-proposed order or written objection to the proposed order is received before the objection deadline, the proposed order may be signed and entered by the Court without further notice.

Dated: New York, New York
February 23, 2021

BROWN RUDNICK LLP

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